

REMARKS

Claims 1-24 are pending in the present application. Claims 1 and 13 are independent.

Allowable Subject Matter

Applicants appreciate the Examiner's indication that claims 9-12 and 21-24 contain allowable subject matter and would be allowed if rewritten in independent form including all of the features of the base claim and any intervening claims. For the reasons discussed below, Applicants believe that the independent claims define patentable subject matter.

Abstract Objection

The Abstract is objected to because it is too long. A new Abstract has been submitted herewith that is within the length requirement of 150 words. In view of this amendment, Applicants respectfully request reconsideration and withdraw of the Abstract objection.

35 U.S.C. § 112, Second Paragraph Rejection

Claims 1-5 and 14-17 are rejected under 35 U.S.C. § 112, second paragraph. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

The particular term rejected by the Office Action is "command". In a rather curious and unusual rejection, the Office Action first provides an inaccurate definition of the term "command" as that term is used by the invention and then sets forth an alleged accepted meaning without providing any reference or citation as to where the allegedly accepted meaning of "command" is derived. Such problems will be dealt with in turn.

First of all, the Office Action alleges that the term "command" is used by claims 2 and 14 to mean "control or manage a computer and its processing abilities so that the activities are carried out." A quick review of claims 2 and 14 clearly shows that the term "command" is not being utilized in this fashion. For instance, claim 2 refers to a command data entity that stores command information that may be utilized to command the equipment.

The Office Action seems to suggest that these commands only relate to a computer. This is not true. The commands utilized by the invention are to place the test equipment into a particular operational state. The commands are indeed fully defined and described in the specification quite contrary to the allegations made in the Office Action. Specifically, Figs. 11-15 variously show how the term "command" is utilized by the invention. These figures and the term "command" are further described and have definitional support in the specification at least on pages 30-37. Commands are part of the equipment command and communications table 500 which is

utilized by the inventive controller to send commands to, receive data from and otherwise communicate with various types of testing communication equipment including the wide variety of test equipment 25 and respective communication interface equipment

Because each type of testing communication equipment may expect a different protocol, command, syntax, line rate, etc. depending upon the equipment brand, model, release, etc. the invention utilizes the equipment command and communications table 500 to provide such a wide variety of protocols, commands, syntax, etc. Indeed, one of the advantages of the invention is to easily communicate with any such equipment. Further details of the command and how they are utilized by the invention are described in the cited figures and pages of specification.

One of the significant items in the command table 540 is the so-called generic command 542 data entity. This generic command data entity 542 may include a command identification, command description, equipment and equipment type identification and permits the invention to simplify and streamline the commanding and controlling of a variety of test equipment. By accessing the associated equipment table 520 via the equipment type ID, the invention can generate equipment-specific command string from a generic command. In this way, the invention may easily adapt to a wide variety of test equipment and the test programs can be written using generic commands that may be translated to equipment-specific

commands via the command table 540. In other words, a generic script (sequence of commands) for conducting a stress testing process that uses generic commands may be translated into equipment-specific command strings thereby greatly simplifying and streamlining the command process.

As further discussed on page 33 of the specification, lines 16-21, some of these commands are utilized to place the modules or units under test into a particular mode or operational state. Thus, the term "command" is fully defined in the specification and this definition is not entirely consistent with the definition alleged in the Office Action.

Furthermore, the alleged accepted meaning of the term "command" seems to draw a distinction between commands utilized to control a computer and commands utilized to instruct a computer program. This distinction is artificial and illogical. Furthermore, the Office Action offers no proof, evidence or citation that the meaning cited in the Office Action has gained any type of accepted meaning.

Because the specification does indeed clearly define the term "command" and because this clearly defined term is utilized in a clearly written claim and further because the alleged accepted meaning has not been proven, the 35 U.S.C. § 112, second paragraph rejections should be reconsidered and withdrawn.

35 U.S.C. § 102(e) Grey Rejection

Claims 1-7 and 13-19 are rejected under 35 U.S.C. § 102(e) as being anticipated by Grey (U.S. Patent 6,401,220). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Grey discloses a computer program that enables a user to more easily write, configure, modify and execute various test sequences. Grey refers to his invention as a "test executive system and method." The whole focus of Grey's patent disclosure is to improve the ability of an operator to generate and then later modify test sequences.

More particularly, Grey utilizes a process model which enables the user to write different test sequences without repeating standard testing operations in each sequence. This is discussed, for example, column 20, lines 12-25. Within the test process, Grey utilizes "steps" and "step types." In column 17, lines 49-51 Grey defines a step types as including action, numeric limit tests, string value tests, pass/fail tests, label, go to, statement, limit loader, message pop-up, call executable, and call sequence. By utilizing various templates and pre-defined and modifiable step types Grey can permit a user to more easily create and modify test sequences.

Although Grey does collect test results and does indeed subject a unit under test (UUT) to the generated test sequence,

Grey does not disclose or suggest a stress-test information database as recited in claim 1 or a method of storing information as recited in method claim 13. Indeed, there is very little discussion in Grey as to the test data or result collection. The most detailed description of the result collection by Grey that can be found by Applicants is in column 22, lines 4-14 in which Grey describes utilizing a routine and rather conventional array to store the results of the various test steps. Such an array storage and the method of storing data by Grey certainly do not disclose or suggest the invention as recited in the independent claims.

More specifically, Grey does not disclose or suggest a product-result map relating a product data entity to a result data entity. Indeed, the whole focus of Grey is to ease the process of test sequence generation which is a quite different focus than the present invention which is to ease the testing of a very wide variety of different products. In order to test such a wide variety of different products the invention utilizes a product data entity that stores product-specific information for a plurality of the different products that may be subjected to a stress-test. No such product entity is disclosed or suggested by Grey.

Although the Office Action cites Fig. 42 in column 6, line 6 through column 7, line 6 as allegedly disclosing this product data entity no such entity could be found in the cited portion of Grey. Indeed, Fig. 42 broadly describes the creation of a test sequence

for units under test which is the focus of Grey. Furthermore, the entire column cited by the Office Action is non-specific and, at best, merely describes storing data that identifies the unit under test. Such a basic identification of the unit under test does not disclose or suggest a product data entity as claimed which stores product-specific information for a plurality of different products.

Even if Grey does somehow disclose the product data entity Grey certainly does not disclose or suggest a product-result map that relates the product data entity to the result data entity. Such a map relating these two distinct data entities permits the invention to perform stress tests on a widely different array of products something which is completely absent from Grey.

Still further, Grey does not disclose or suggest a process-result map relating the process data entity to the result data entity. Such a mapping that relates the distinct data entities of process data and result data permits the invention to further adapt to a wide variety of test processes that may be applied to a wide variety of different products under tests. No such product-result map is disclosed or suggested by Grey. The citations provided in the Office Action as allegedly teaching this feature are non-specific and non-illuminating. If the Grey reference is reapplied Applicants respectfully request a more specific explanation as to how Grey meets these claimed features and what specific elements disclosed in Grey do so.

With respect to method claim 13, Grey does not disclose or suggest storing product-specific information for a plurality of the different products that may be subjected to a stress test in a product data entity. As argued above, merely storing the unit under test ID is not sufficient to meet this claim feature. Furthermore, Grey does not disclose or suggest relating a product data entity to a result data entity with a product-result map. Again, such a map permits the inventive data base application to relate test results from a variety of different stress testing processes to a wide variety of different products that may be subjected to the stress test. Still further, Grey does not disclose or suggest relating a process data entity to a result data entity with a process-result map. No such feature is disclosed or suggested by Grey as argued above in more detail in relation to claim 1.

For all of the above reasons taken alone or in combination, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(e) Grey rejection.

35 U.S.C. § 103 Grey-Eliashberg Rejection

Claims 8 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Grey in view of Eliashberg (USP 5,966,021). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

For the reasons discussed above, Grey does not teach or suggest the features of independent claims 1 or 13. Furthermore, Eliashberg does not remedy any of the noted deficiencies in Grey. Indeed, Eliashberg is merely applied to teach the features of dependent claims 8 and 20. Although Applicants do not necessarily agree with the statements made with respect to Eliashberg, Applicants wish to focus the patentability upon the independent claim features and reserve the right to challenge Eliashberg further in the future. Because neither Grey nor Eliashberg teaches the features of the independent claims, the combination of these patents must fail. Therefore, Applicants respectfully request reconsideration and withdraw of the 35 U.S.C. § 103 Grey-Eliashberg rejection.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael R. Cammarata (Reg. No. 39,491) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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